IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

WP(C).No. 29350 of 2007(R)

PETITIONER:

D.C.VINCENT, ASSISTANT COMMISSIONER,
(RETIRED), V.A.T.COMMERCIAL TAXES,
SPECIAL CIRCLE, PALAKKAD RESIDING AT
LISSIE BUILDINGS, KANJIRAMKULAM P.O.,
THIRUVANANTHAPURAM DIST.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TAXES, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE COMMISSIONER,
COMMISSIONERATE OF COMMERCIAL TAXES,
THIRUVANANTHAPURAM.

3. THE DEPUTY COMMISSIONER, COMMERCIAL
TAXES, THIRUVANANTHAPURAM.

4. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, NEYYATTINKARA,
THIRUVANANTHAPURAM.

5. THE ACCOUNTANT GENERAL (A&E), KERALA,
THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI ,J.

WP(C).NO.29350 of 2007

Dated this the 25th day of October, 2007

JUDGMENT

The petitioner, while working as an Assistant Commissioner of Commercial Taxes, retired on 31.10.2005. His grievance is that the retirement benefits due to him have not been disbursed so far. Apparently, the delay is on account of the delay incurred in tracing out the service book of the petitioner.

2. Learned Government Pleader, on instructions, submits that steps will be taken to finalise the processing of the pension papers and to see that the retirement benefits due to the petitioner will be disbursed without further delay.

3. In the circumstances, the writ petition is disposed of in the following terms:-

1) Petitioner shall produce a copy of the judgment along with a copy of the writ petition before the second respondent, within a period of six weeks from the date of receipt of a copy of this judgment.

2) Second respondent shall thereupon take steps to collect the non-liability certificate relating to the petitioner, and finalise proceedings for fixation of liability, if any, incurred by the petitioner, after notice to the petitioner. Steps, in this regard, shall be finalised within a period of three months from the date of receipt of a copy of the representation.

3) Pension and other retirement benefits shall be disbursed to the petitioner within one month of the finalisation of the proceedings by the second respondent in the manner as aforementioned.

V. GIRI, JUDGE

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